

company with a main business office in Williamsburg, Virginia.

7. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

8. In or around 2015, Defendant began constantly and consistently placing telephone calls to plaintiff in an attempt to collect a debt an alleged debt.

9. Defendant places telephone calls to Plaintiff on Plaintiff's cellular telephone at 347-857-08XX.

10. Defendant places telephone calls from numbers including, but not limited to, 214-575-4412, 214-575-4400, 972-228-5688, 888-921-2342, 972-655-3005, and 803-835-4374.

11. Based upon the timing and frequency of Plaintiff's calls and per its prior business practices, each collection call placed by Defendant to Plaintiff was placed using an automatic telephone dialing system.

12. On or around January 20, 2015, Plaintiff received a call from Defendant and spoke to Defendant's representative, "Sandy."

13. During the course of the telephone conversation on or around January 20, 2015,, Plaintiff requested that Defendant cease placing calls to her cellular telephone.

14. Plaintiff revoked any consent, either explicitly or implicitly, to receive automated telephone calls from Defendant on her cellular telephone in or around January 20, 2015.

15. Despite Plaintiff's request to cease, Defendant placed at least eighty-five (85) calls to Plaintiff in an approximate five- month period between January, 2015 and June, 2015.

COUNT I
DEFENDANT VIOLATED THE TELEPHONE CONSUMER PROTECTION ACT

16. Defendant's actions alleged *supra* constitute numerous negligent violations of the TCPA, entitling Plaintiff to an award of \$500.00 in statutory damages for each and every violation pursuant to 47 U.S.C. § 227(b)(3)(B).
17. Defendant's actions alleged *supra* constitute numerous and multiple knowing and/or willful violates of the TCPA, entitling Plaintiff to an award of \$1500.00 in statutory damages for each and every violation pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

18. Statutory damages of \$500.00 for each and every negligent violation of the TCPA pursuant to 47 U.S.C. § (b)(3)(B);
19. Statutory damages of \$1500.00 for each and every knowing and/or willful violation of the TCPA pursuant to 47 U.S.C. § (b)(3)(b) and 47 U.S.C. § (b)(3)(C);
20. All court costs, witness fees and other fees incurred; and
21. Any other relief that this Honorable Court deems appropriate.

DEMAND FOR JURY TRIAL

Plaintiff, KEVIN JARRET, requests a jury trial in this case.

RESPECTFULLY SUBMITTED,

/s/ David Tannehill
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